



*JPW*

SALUCCIO 3.0-004 (CONT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of :  
RAYMOND SALUCCIO :  
Serial No.: 10/801,227 : Group Art Unit 3625  
Filed: March 16, 2004 : Examiner Robert Pond  
For: A SYSTEM FOR PROCESSING :  
A PRESCRIPTION BOTTLE :

Mail Stop Patent Amendments (Fee)  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

PAYMENT OF EXCESS CLAIM FEES

Sir:

In response to the Office Action dated July 5, 2007, Applicant hereby submits a check for \$475 for seven additional claims. In addition, a copy of the Office Action showing the calculation is also enclosed herewith.

Respectfully submitted,  
EZRA SUTTON, P.A.

08/02/2007 HVUONG1 00000031 10801227

01 FC:2202  
02 FC:2201

75.00 OP  
400.00 OP

*Ezra Sutton*  
EZRA SUTTON  
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ES/daw/enclosure

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE  
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Date

By

*July 27, 2007*  
*Rebecca Warrick*



UNITED STATES PATENT AND TRADEMARK OFFICE



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United States Patent and Trademark Office  
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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,227	03/16/2004	Raymond Saluccio	SALUCCIO 3.0-004	2015

7590  
EZRA SUTTON, P.A.  
PLAZA 9  
900 RT. 9  
WOODBIDGE, NJ 07095

07/05/2007

EXAMINER
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HAQ, NAEEM U

ART UNIT	PAPER NUMBER
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3625

MAIL DATE	DELIVERY MODE
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07/05/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

*Due*  
*8/5/07*



## UNITED STATES PATENT AND TRADEMARK OFFICE

10/801,227

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

## NOTICE REQUIRING EXCESS CLAIMS FEES

The excess claim(s) filed on Sept 28, 2005 is not accompanied by the appropriate payment of excess claims fees set forth in 37 CFR 1.16(h)-(j) or 1.492(d)-(f). Excess claims fees are required for each claim in independent form in excess of three (§ 1.16(h)), each claim (whether dependent or independent) in excess of twenty (note that § 1.75(c) indicates how multiple dependent claims are considered for fee calculation purposes) (§ 1.16(i)), and each application that contains a multiple dependent claim (§ 1.16(j)).

Since the application is not under a final rejection, applicant is given a time period of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, to submit either: (1) the fee payment of \$ 475.00, or (2) an amendment in compliance with 37 CFR 1.121 that cancels the excess claim(s), in order to avoid ABANDONMENT. Extensions of this time period may be granted under 37 CFR 1.136, unless the excess claim(s) was presented in a preliminary amendment.

- ☐ 1. The funds in Deposit Account No. \_\_\_\_\_ are insufficient to cover the entire fee due. The balance is due within the time period set forth in this notice. See note below regarding the appropriate service charge.
- ☐ 2. The Credit Card payment to cover the entire fee due to Account \_\_\_\_\_ (Card type + last 4 digits ONLY) was refused. The balance is due within the time period set forth in this notice. See note below regarding the appropriate service charge.
- ☐ 3. The amendment that includes the excess claim(s) has not been entered, since applicant has failed to remit (or authorize charge to a Deposit Account or Credit Card) the fee as indicated on the attached Patent Application Fee Determination Record (PTO/SB/06). Remittance or authorization is due within the time period set forth in this notice.
- ☒ 4. The fee submitted in this application is insufficient. A balance of \$ 475.00 is due for presentation of excess claims (37 CFR 1.16(h)-(j) or 1.492(d)-(f)).
- ☐ 5. Other.

Explanation (Provide specific details of the required correction in order to assist the applicant. Indicate whether a service charge has been added to the fee due):

The Pre-Amend filed on 9/28/05 stated 4 extra independent claims and 3 extra dependent claims a total of 23 and 11. The client paid for up to 7 independent claims and no more extra dependent claims, making it 2047.

THE AMOUNT OF THE FEE(S) DUE IS SUBJECT TO CHANGE, GENERALLY ON OCTOBER 1 OF EACH YEAR (37 CFR 1.16, 1.21 & 1.492). THE AMOUNT OF THE FEE(S) DUE IS DETERMINED AS OF THE DATE A COMPLETE REPLY WITH THE APPROPRIATE FEE(S) IS RECEIVED BY THE OFFICE (37 CFR 1.8 & 1.10). BECAUSE THE AMOUNT DUE IS SUBJECT TO CHANGE, IT IS RECOMMENDED THAT APPLICANT CHECK THE CURRENT FEE SCHEDULE WHICH IS AVAILABLE ON THE USPTO'S WEBSITE AT: <http://www.uspto.gov/web/offices/ac/qs/ope/fees.htm>

**Service Charges:** There is a \$50 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR 1.21(m)). There is a \$25.00 service charge for each month when the balance of a deposit account is below \$1000 at the end of the month (37 CFR 1.21(b)(2)).

Amy P. Quinn (571) 272 - 1565  
Technical Support Staff (TSS)

**Note to TSS:** Please do NOT use this notice if the application is under a final rejection.

SN# 10/801,227

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PATENT APPLICATION FEE DETERMINATION RECORD**

Substitute for Form PTO-875 Effective December 8, 2004

Application or Dock Number

101801,277

**APPLICATION AS FILED - PART I**

(Column 1)

(Column 2)

SMALL ENTITY

OR

OTHER THAN  
SMALL ENTITY

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A
SEARCH FEE (37 CFR 1.16(h), (i), or (m))	N/A	N/A
EXAMINATION FEE (37 CFR 1.16(a), (p), or (q))	N/A	N/A
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	.
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	.
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(i))		

RATE (\$)	FEE (\$)
N/A	150.00
N/A	\$250
N/A	\$100
X\$ 25 =	
X100 =	
+180=	
TOTAL	

RATE (\$)	FEE (\$)
N/A	300.00
N/A	\$500
N/A	\$200
X\$50 =	
X200 =	
+360=	
TOTAL	

\* If the difference in column 1 is less than zero, enter "0" in column 2.

**APPLICATION AS AMENDED - PART II**

(Column 1)

(Column 2)

(Column 3)

SMALL ENTITY

OR

OTHER THAN  
SMALL ENTITY

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(i))	23	20	3
Independent (37 CFR 1.16(h))	11	7	4
Application Size Fee (37 CFR 1.16(s))			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(i))			

RATE (\$)	ADDITIONAL FEE (\$)
X\$ 25 =	75.00
X100 =	400.00
+180=	
TOTAL ADD'L FEE	475.00

RATE (\$)	ADDITIONAL FEE (\$)
X\$50 =	
X200 =	
+360=	
TOTAL ADD'L FEE	

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(i))	22	23	0
Independent (37 CFR 1.16(h))	10	11	0
Application Size Fee (37 CFR 1.16(s))			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(i))			

RATE (\$)	ADDITIONAL FEE (\$)
X\$ 25 =	
X100 =	
+180=	
TOTAL ADD'L FEE	

RATE (\$)	ADDITIONAL FEE (\$)
X\$50 =	
X200 =	
+360=	
TOTAL ADD'L FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

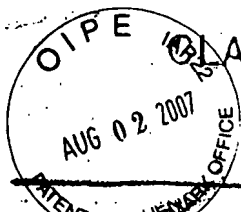
\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



CLAIMS ONLY

Application Number

10/801,227

Filing Date

Applicant(s)

6105107

\* May be used for additional claims or amendments

CLAIMS	AS FILED 9/28/05		AFTER FIRST AMENDMENT		AFTER SECOND AMENDMENT		* May be used for additional claims or amendments					
	Indep	Depend	Indep	Depend	Indep	Depend	Indep		Depend	Indep		Depend
1	/		/				51					
2		/		/			52					
3		/		/			53					
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5		/		/			55					
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7	/		<del>/</del>	<del></del>			57					
8	/		<del>/</del>	<del></del>			58					
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13		/		/			63					
14	/		/				64					
15	/		/				65					
16	/		/				66					
17		/		/			67					
18		/		/			68					
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43							93					
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45							95					
46							96					
47							97					
48							98					
49							99					
50							100					
Total Indep	11		10				Total Indep					
Total Depend	12		12				Total Depend					
Total Claims	23		22				Total Claims					